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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,081	05/10/2007	Liangsheng Chen	4502-1067	7699
466 7590 10/08/2008 YOUNG & THOMPSON 209 Madison Street Suite 500 ALEXANDRIA, VA 22314			EXAMINER HO, ANDY	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 10/08/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/585,081

Applicant(s)

CHEN ET AL.

Examiner

ANDY HO

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 9-12, 15 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 9-12, 15 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S5108)
Paper No(s)/Mail Date 6/29/06: 5/9/08
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the amendment filed 6/11/2008.
2. Claims 1-3, 9-12, 15 and 20 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 9-12, 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunner U.S Patent No. 5,771,275 in view of Dorenbosch U.S Patent No. 6,963,739 and Yoshihara U.S Patent No. 6,643,291.

As to claim 1, Brunner teaches a method of forming an ad-hoc wireless network under the control of ad-hoc software (Fig. 1) consisting of:

broadcasting (sending message from 42 to 22; lines 40-59 column 10) from at least a first wireless network interface (42, Fig. 1) on a first wireless network capable device (mobile station 16', line 25 column 4) at least one data packet from the software including a request to join an ad-hoc network (registration of the mobile station to receive services from a different network, lines 40-59 column 10) and a profile of the requesting

device (subscriber profile, lines 53-54 column 10),

receiving at a second wireless network interface (22, Fig. 1) on a second wireless network capable device (mobile station 16, lines 38-39 column 3) under the control of the network software a data package being a request to join the ad-hoc wireless network (registration of the mobile station to receive services from a different network, lines 40-59 column 10);

responding from the second wireless network device to the first wireless network device with a confirmation of receipt (22 sending a message back to 42, lines 53-59 column 10).

Brunner does not teach the profile including a MAC address and unique identifier of the software licence instance.

Dorenbosch teaches (lines 22-50 column 3) in an ad-hoc wireless network, communication between wireless devices includes sending profile information comprising MAC address and unique identifier. It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Brunner reference to include the teachings of Dorenbosch reference because by sending profile information comprising MAC address and unique identifier, the system could provide unique information of a wireless device to other wireless devices within the network.

Brunner further does not teach a profile of the responding device.

Yoshihara teaches a system of communication between devices of different networks wherein the messages between these devices contain profile information (line

30 column 2 to line 31 column 3). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Brunner reference to include the teachings of Yoshihara reference because the profile information will provide a requesting device with information of a particular responding device from a different network; therefore the system allows a direct communication between these devices.

As to claim 2, Brunner as modified further teaches the initial request to join is further broadcast from the second wireless network device (lines 8-45 column 9).

As to claim 3, Yoshihara further teaches the first wireless network device may additionally broadcast or multi-cast packets requesting an identifying response from every wireless network device capable of joining the ad-hoc wireless network and within range (lines 18-60 column 4). Note the discussion of claim 1 above for the reason of combining references.

As to claim 9, Yoshihara further teaches the device is a computer and the presence of responding devices is shown on the computer display (display of PC1, Fig. 2). Note the discussion of claim 1 above for the reason of combining references.

As to claim 10, Yoshihara further teaches the presence of a responding device is as an icon on the computer display and wherein operations on the icon can show information on the profile or send a user message to a network device represented by the icon (lines 32-59 column 45). Note the discussion of claim 1 above for the reason of combining references.

As to claim 11-12, Yoshihara further teaches the computer may maintain a list of contactable wireless network devices wherein the list may include an attribute which prevents display of that wireless network device presence (lines 18-60 column 4). Note the discussion of claim 1 above for the reason of combining references.

As to claim 15, it is apparatus claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 20, Dorenbosch further teaches the profile includes an IP address (lines 22-50 column 3). Note the discussion of claim 1 above for the reason of combining references.

Response to Arguments

4. Applicant's arguments have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.

Art Unit: 2194

- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

/Andy Ho/

Primary Examiner

Art Unit 2194